
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

ARVA ANDERSON,
Plaintiff,

v.

FORD MOTOR COMPANY, et al.,
Defendants.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANTS'
MOTIONS IN LIMINE TO PRECLUDE
REFERENCES TO PRIOR MOTIONS
AND RULINGS IN THIS MATTER

Case No. 2:06-CV-741 TS

District Judge Ted Stewart

This matter is before the Court on Defendant Crane Co.'s Motion in Limine to Preclude References to Prior Motions and Rulings in this Matter (Docket No. 399), Defendant Goulds Pumps, Inc.'s Motion in Limine to Preclude References to Prior Motions and Rulings in this Matter (Docket No. 416), Defendant York International Corporation's Motion in Limine to Preclude References to Prior Motions and Rulings in this Matter (Docket No. 434), and Defendant Flowserve Corporation's (f/k/a Durco International, Inc.) Motion in Limine to Preclude References to Prior Motions and Rulings in this Matter (Docket No. 447). For the reasons set forth below, the Court will grant Defendants' Motions.

Defendants seek to prevent Plaintiff from presenting evidence of or testimony concerning prior motions and rulings in this matter.¹ Defendants anticipate that Plaintiff will attempt to comment, or otherwise present evidence to the jury, on the previous motions filed,

¹ Docket No. 399.

argued, and ruled upon throughout the course of this matter.² Defendants argue that because such motions have been ruled upon, the information that Plaintiff could present would be irrelevant to a fact of consequence at trial.³ Further, Defendants argue that the probative value of such evidence, if any, would be outweighed by risk of unfair prejudice or confusion of the issues by the jury.⁴

Federal Rule of Evidence 401 defines relevant evidence as evidence that “has any tendency to make a fact more or less probable than it would be without the evidence; and . . . the fact is of consequence in determining the action.” Federal Rules of Evidence 402 and 403 limit admissible evidence to relevant evidence that has probative value not substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the jury, causing undue delay, wasting time, or needlessly presenting cumulative evidence.

The Court will not allow Plaintiff or Defendants to introduce any irrelevant evidence. Similarly, the Court will not allow evidence when the probative value of such evidence is substantially outweighed by unfair prejudice or any other concern articulated in Rule 403. The Court will not allow either party to comment on or present evidence concerning prior motions or rulings in this matter without a demonstration to the Court that such comments or evidence comply with Rules 401, 402, and 403.

It is therefore

² *Id.* at 2.

³ *Id.*

⁴ *Id.*

ORDERED that Defendants' Motion in Limine to Preclude References to Prior Motions and Rulings in this Matter (Docket Nos. 399, 416, 434, and 447) are GRANTED as set forth above.

DATED this 16th day of September, 2014.

BY THE COURT:



Ted Stewart
United States District Judge